

ant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee, which shall be considered as read. That amendment and all amendments thereto shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After consideration of the bill for amendment under the five minute rule for three hours pursuant to the first section of this resolution, no further amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Each further amendment may be offered only by the Member who caused it to be printed or a designee and shall be considered as read. Each further amendment and all amendments thereto shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§86.11 INTELLIGENCE AUTHORIZATION

On motion of Mr. GOSS, by unanimous consent and pursuant to clause 1 of rule XX, the bill (H.R. 3694) to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GOSS, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the

Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. SUNUNU, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, YOUNG of Florida, LEWIS of California, SHUSTER, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, DICKS, DIXON, SKAGGS, Ms. PELOSI, Ms. HARMAN, Messrs. SKELTON and BISHOP.

From the Committee on National Security, for consideration of the House bill and Senate amendment, and modifications committed to conference:

Messrs. SPENCE, STUMP and Ms. SANCHEZ.

Ordered, That the Clerk notify the Senate thereof.

§86.12 ENGLISH LANGUAGE FLUENCY

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to House Resolution 516 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes.

The SPEAKER pro tempore, Mr. SUNUNU, by unanimous consent, designated Mr. LAHOOD as Chairman of the Committee of the Whole; and after some time spent therein,

§86.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MARTINEZ to the amendment submitted by Mr. RIGGS:

Amendment submitted by Mr. MARTINEZ:

In the matter proposed to be inserted by the amendment on page 17, after line 3, of the bill, strike "learners." and insert "learners, except if necessary for the eligible entity to comply with Federal law (including a Federal court order)."

Amendment submitted by Mr. RIGGS:

Page 16, line 16, strike "and".

Page 17, line 3, strike "students." and insert "students; and".

Page 17, after line 3, insert the following:

"(F) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of English language learners."

It was decided in the { Yeas 205
negative } Nays 208

§86.14 [Roll No. 422]

AYES—205

Abercrombie
Ackerman
Allen

Andrews
Baesler
Baldacci

Barrett (WI)
Becerra
Bentsen

Berman
Bilirakis
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey

Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Oberstar

Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Redmond
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NOES—208

Aderholt
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bliley
Blunt
Boehler
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss

Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler

Fox
Franks (NJ)
Frelinghuysen
Gallagher
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson

Hyde	Neumann	Shaw
Inglis	Northup	Shays
Istook	Norwood	Shimkus
Jenkins	Nussle	Shuster
Johnson, Sam	Oxley	Smith (MI)
Jones	Packard	Smith (NJ)
Kasich	Pappas	Smith (OR)
Kelly	Parker	Smith (TX)
Kim	Paul	Smith, Linda
King (NY)	Paxon	Snowbarger
Kingston	Pease	Solomon
Klug	Peterson (PA)	Souder
Knollenberg	Petri	Spence
Kolbe	Pickering	Stearns
LaHood	Pickett	Stump
Latham	Pitts	Sununu
LaTourette	Pombo	Talent
Lazio	Porter	Taylor (NC)
Lewis (KY)	Portman	Thomas
Linder	Quinn	Thornberry
Lipinski	Radanovich	Thune
Livingston	Regula	Tiahrt
LoBiondo	Riggs	Upton
Lucas	Riley	Walsh
Manzullo	Rogan	Wamp
McCollum	Rogers	Watkins
McCrery	Rohrabacher	Watts (OK)
McDade	Roukema	Weldon (FL)
McHugh	Royce	Weldon (PA)
McInnis	Ryun	Weller
McIntosh	Salmon	White
McKeon	Sanford	Whitfield
Metcalf	Saxton	Wicker
Mica	Schaefer, Dan	Wilson
Miller (FL)	Schaffer, Bob	Wolf
Moran (KS)	Sensenbrenner	Young (FL)
Myrick	Sessions	
Nethercutt	Shadegg	

NOT VOTING—21

Archer	Gonzalez	Pryce (OH)
Barcia	Hunter	Scarborough
Berry	Johnson, E. B.	Schumer
Burr	Kennelly	Tauzin
Ehrlich	Largent	Towns
Furse	McGovern	Wise
Gephardt	Poshard	Young (AK)

So the amendment was not agreed to.

86.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. RIGGS:

It was decided in the	Yeas	230
affirmative	Nays	184

86.16 [Roll No. 423]
AYES—230

Aderholt	Chenoweth	Galleghy
Archer	Christensen	Ganske
Armey	Coble	Gekas
Bachus	Coburn	Gibbons
Baesler	Collins	Gilchrest
Baker	Combest	Gillmor
Ballenger	Cook	Gilman
Barr	Cooksey	Goode
Barrett (NE)	Cox	Goodlatte
Bartlett	Cramer	Goodling
Barton	Crane	Goss
Bass	Crapo	Graham
Bateman	Cubin	Granger
Bereuter	Cunningham	Greenwood
Bilbray	Danner	Gutknecht
Bilirakis	Davis (VA)	Hall (TX)
Bliley	Deal	Hansen
Blunt	DeLay	Hastert
Boehlert	Dickey	Hastings (WA)
Boehner	Doolittle	Hayworth
Bonilla	Dreier	Hefley
Bono	Duncan	Herger
Boyd	Dunn	Hill
Brady (TX)	Ehlers	Hilleary
Bryant	Emerson	Hobson
Bunning	English	Hoekstra
Burton	Ensign	Horn
Buyer	Everett	Hostettler
Callahan	Ewing	Houghton
Calvert	Fawell	Hulshof
Camp	Foley	Hunter
Campbell	Forbes	Hutchinson
Canady	Fossella	Hyde
Cannon	Fowler	Inglis
Castle	Fox	Istook
Chabot	Franks (NJ)	Jenkins
Chambliss	Frelinghuysen	John

Johnson (CT)	Norwood	Shimkus
Johnson, Sam	Nussle	Shuster
Jones	Packard	Sisisky
Kasich	Pappas	Skeen
Kelly	Parker	Smith (MI)
Kim	Paul	Smith (NJ)
King (NY)	Paxon	Smith (OR)
Kingston	Pease	Smith (TX)
Klug	Peterson (MN)	Smith, Linda
Knollenberg	Peterson (PA)	Snowbarger
Kolbe	Petri	Solomon
LaHood	Pickering	Souder
Latham	Pickett	Spence
LaTourette	Pitts	Stearns
Lazio	Pombo	Stenholm
Leach	Porter	Stump
Lewis (CA)	Portman	Sununu
Lewis (KY)	Quinn	Talent
Linder	Radanovich	Taylor (MS)
Lipinski	Ramstad	Taylor (NC)
Livingston	Redmond	Thomas
LoBiondo	Regula	Thornberry
Lucas	Riggs	Thune
Manzullo	Riley	Tiahrt
McCollum	Rogan	Trafficant
McCrery	Rogers	Upton
McDade	Rohrabacher	Walsh
McHugh	Roukema	Wamp
McInnis	Royce	Watkins
McIntosh	Ryun	Watts (OK)
McIntyre	Salmon	Weldon (FL)
McKeon	Sanford	Weldon (PA)
Metcalf	Saxton	Weller
Mica	Schaefer, Dan	White
Miller (FL)	Schaffer, Bob	Whitfield
Moran (KS)	Sensenbrenner	Wicker
Myrick	Sessions	Wilson
Nethercutt	Shadegg	Wolf
Neumann	Shaw	Young (FL)
Northup	Shays	

NOES—184

Abercrombie	Gordon	Minge
Ackerman	Green	Mink
Allen	Gutierrez	Moakley
Andrews	Hall (OH)	Mollohan
Baldacci	Hamilton	Moran (VA)
Barrett (WI)	Harman	Morella
Becerra	Hastings (FL)	Murtha
Bentsen	Hefner	Nadler
Berman	Hilliard	Neal
Bishop	Hinche	Ney
Blagojevich	Hinojosa	Oberstar
Blumenauer	Holden	Obey
Bonior	Hooley	Olver
Borski	Hoyer	Ortiz
Boswell	Jackson (IL)	Owens
Boucher	Jackson-Lee	Oxley
Brady (PA)	(TX)	Pallone
Brown (CA)	Jefferson	Pascarell
Brown (FL)	Johnson (WI)	Pastor
Brown (OH)	Kanjorski	Payne
Capps	Kaptur	Pelosi
Cardin	Kennedy (MA)	Pomeroy
Carson	Kennedy (RI)	Price (NC)
Clay	Kildee	Rahall
Clayton	Kilpatrick	Rangel
Clement	Kind (WI)	Reyes
Clyburn	Klecza	Rivers
Condit	Klink	Rodriguez
Conyers	Kucinich	Roemer
Costello	LaFalce	Ros-Lehtinen
Coyne	Lampson	Rothman
Cummings	Lantos	Roybal-Allard
Davis (FL)	Lee	Rush
Davis (IL)	Levin	Sabo
DeFazio	Lewis (GA)	Sanchez
DeGette	Lofgren	Sanders
Delahunt	Lowey	Sandlin
DeLauro	Luther	Sawyer
Deutsch	Maloney (CT)	Scott
Diaz-Balart	Maloney (NY)	Serrano
Dicks	Manton	Sherman
Dingell	Markey	Skaggs
Dixon	Martinez	Skelton
Doggett	Mascara	Slaughter
Dooley	Matsui	Smith, Adam
Doyle	McCarthy (MO)	Snyder
Edwards	McCarthy (NY)	Spratt
Engel	McDermott	Stabenow
Eshoo	McHale	Stark
Evans	McKinney	Stokes
Farr	McNulty	Strickland
Fattah	Meehan	Stupak
Fazio	Meek (FL)	Tanner
Filner	Meeks (NY)	Tauscher
Ford	Menendez	Thompson
Frank (MA)	Millender	Thurman
Frost	McDonald	Tierney
Gejdenson	Miller (CA)	Torres

Turner	Waters	Weygand
Velazquez	Watt (NC)	Woolsey
Vento	Waxman	Wynn
Visclosky	Wexler	Yates

NOT VOTING—20

Barcia	Gonzalez	Scarborough
Berry	Johnson, E. B.	Schumer
Burr	Kennelly	Tauzin
Ehrlich	Largent	Towns
Etheridge	McGovern	Wise
Furse	Poshard	Young (AK)
Gephardt	Pryce (OH)	

So the amendment was agreed to.
The SPEAKER pro tempore, Mr. GUTKNECHT, assumed the Chair.

When Mr. LAHOOD, Chairman, pursuant to House Resolution 516, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. ENGLISH LANGUAGE EDUCATION.

Part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7401 et seq.) is amended to read as follows:

"PART A—ENGLISH LANGUAGE EDUCATION

"SEC. 7101. SHORT TITLE.

"This part may be cited as the 'English Language Fluency Act'.

"SEC. 7102. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds as follows:

"(1) English is the common language of the United States and every citizen and other person residing in the United States should have a command of the English language in order to develop to their full potential.

"(2) States and local school districts need assistance in developing the capacity to provide programs of instruction that offer and provide an equal educational opportunity to immigrant children and youth and children and youth who need special assistance because English is not their dominant language.

"(b) PURPOSES.—The purposes of this part are—

"(1) to help ensure that children and youth who are English language learners master English and develop high levels of academic attainment in English; and

"(2) to assist eligible local educational agencies that experience unexpectedly large increases in their student population due to immigration to help immigrant children and youth with their transition into society, including mastery of the English language.

"SEC. 7103. PARENTAL NOTIFICATION AND CONSENT TO PARTICIPATE.

"(a) IN GENERAL.—A parent or the parents of a child participating in an English language instruction program for English language learners assisted under this Act shall be informed of—

"(1) the reasons for the identification of the child as being in need of English language instruction;

"(2) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement; and

"(3) how the English language instruction program will specifically help the child acquire English and meet age-appropriate standards for grade promotion and graduation.

"(b) PARENTAL CONSENT.—

"(1) IN GENERAL.—A parent or the parents of a child who is an English language learner and is identified for participation in an